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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/298,910	04/26/1999	NORIYOSHI SONETAKA	Q54131	2573

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WASHINGTON, DC 200373202

EXAMINER

WEST, LEWIS G

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/298,910	SONETAKA, NORIYOSHI	
	Examiner	Art Unit	
	Lewis G. West	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10,16 and 18-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10,16 and 18-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments filed February 17, 2006 (originally submitted after final on January 6, 2006 and subsequently entered with a Request for Continued Examination) have been fully considered but they are not persuasive.

As addressed in the Advisory Action, there is nothing in Sandler, even when taken out of context as applicant has done to even imply sending all digits at once. The portion cited refers to the method in Sandler wherein digits are buffered until a connection is established, the buffered digits are sent together, and then subsequent digits are sent WHEN DIALED. There is no logical way to interpret "sent when dialed" as a "store and forward" method for the subsequently dialed digits, when what is clearly stated is that when a digit is dialed, it is sent at that time. Further multitudinous citations in Sandler shows each digit sent when dialed. See the Abstract, wherein, the exact wording used for argument by the applicant is used by Sandler, wherein it is stated that the subscriber unit "sends digits on a digit by digit basis". Further see column 3 lines 47-50 of Sandler where it clearly states, "Digits dialed by the user are then sent to the MSC over the radio interface on a digit by digit basis for centralized collection and analysis" Applicant's extrapolations are in direct conflict with the directly stated features of Sandler, and therefore the arguments are not persuasive.

Regarding claims 10 and 16, applicant argues against the Sandler reference, stating that the claims cite sending dialing signals digit by digit after the all of the stored dialing signals are sent. However the portion of Sandler cited by applicant for argumentative purposes reads, verbatim, on this feature. As cited by applicant, see Sandler, col. 13 lines 55-57.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 16 and 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bilgic (US 5,884,148) in view of Sandler (US 5,983,117).

Regarding claim 10, Bilgic discloses a radio access system comprising: means for producing dialing signals comprising a telephone set having a dial pad with keys, wherein a dialing signal is generated each time a key of said dial pad is pushed (col. 10 line 22-col. 11 line 24); a base station control station (113) in radio communication with said means for producing dialing signals through a base station; said base station including means for deciding whether a received dialing signal represents a final digit of a dialed telephone number or not. (Col. 11 line 39-48) but does not expressly disclose sending each dialed digit to the base station control station for analysis. Sandler discloses means for transmitting the dialing signals to be analyzed through a said base station control station each time a dialing signal is generated for analysis at a higher system level (Col. 3 lines 21-42; Col. 8 lines 9-27), wherein when a handset of the telephone set is removed from its switch and the keys of the dial pad are pushed while said base station controller or said base station is performing a control access to establish a link, storing a set of dialing signals and then transmitting the stored set of dialing signals to said base station control station after the link has been established. (Col. 13 line 33-57) Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to send digits to the base

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station controller, as analysis may take place higher in the system, as demonstrated by Sandler, which would centralize processing and avoid the cost of having multiple equipment at multiple locations to perform the same function and simplify reprogramming, see the motivation for centralization found in Sandler (Sandler col. 3 lines 14-20), and to buffer the digits before the link is established, as the user may begin to dial before a radio connection is complete, and without buffering those digits may be disregarded causing an error in dialing.

Regarding claim 16, Bilgic discloses a radio access method comprising the steps of: producing a single digit dialing signal when a key of a dial pad is pushed; and deciding at said base station whether a received single digit dialing signal represents a final digit of a dialed telephone number or not. (Col. 11 lines 8-48) but does not expressly disclose sending each digit to a base station control station for analysis. Sandler discloses means for transmitting the dialing signals to be analyzed through a said base station control station each time a dialing signal is generated for analysis at a higher system level (Col. 3 lines 21-42; Col. 8 lines 9-27), wherein when a handset of the telephone set is removed from its switch and the keys of the dial pad are pushed while said base station controller or said base station is performing a control access to establish a link, storing a set of dialing signals and then transmitting the stored set of dialing signals to said base station control station after the link has been established. (Col. 13 line 33-57) Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to send digits to the base station controller, as analysis may take place higher in the system, as demonstrated by Sandler, which would centralize processing and avoid the cost of having multiple equipment at multiple locations to perform the same function and simplify reprogramming, see the motivation for centralization found in Sandler (Sandler col. 3 lines 14-

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20), and to buffer the digits before the link is established, as the user may begin to dial before a radio connection is complete, and without buffering those digits may be disregarded causing an error in dialing.

Regarding claim 18, the combination of Bilgic and Sandler discloses the radio access system according to claim 10, wherein said base station opens a communications channel after deciding that a received dialing signal represents the final digit of the dialed telephone number. (Bilgic col. 8 line 21-42)

Regarding claim 19, the combination of Bilgic and Sandler discloses the radio access system according to claim 10, wherein said means for deciding comprises an inter-digit timer and a means for determining that a dialing signal has not been received for a fixed period of time. (Bilgic col. 8 line 21-42)

Regarding claim 20, the combination of Bilgic and Sandler discloses the radio access system according to claim 10, wherein said means for deciding comprises an inter-digit timer and a means for determining that a dialing signal has not been received for a variable period of time. (Sandler col. 8 line 53-Col. 9 line 5)

Regarding claim 21, the combination of Bilgic and Sandler discloses the radio access system according to claim 10, wherein said means for deciding comprises a means for counting a fixed number of said dialing signals. (Bilgic col. 8 line 21-42)

Regarding claim 22, the combination of Bilgic and Sandler discloses the radio access system according to claim 10, wherein said means for deciding comprises a means for counting a variable number of said dialing signals. (Bilgic col. 8 line 21-42)

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Regarding claim 23, the combination of Bilgic and Sandler discloses the radio access system according to claim 10, wherein said base station and said base station control station are connected to each other in a point-to-point access configuration. (Bilgic Col 4 lines 37-49)


Regarding claim 24, the combination of Bilgic and Sandler discloses the radio access system according to claim 10, wherein said base station and said base station control station are connected to each other in a point-to-multipoint access configuration. (Bilgic Col 4 lines 37-49)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 571-272-7859. The examiner can normally be reached on Monday-Friday 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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